



# California Regional Water Quality Control Board

## Santa Ana Region



**Linda S. Adams**  
Secretary for Environmental  
Protection

3737 Main Street, Suite 500, Riverside, California 92501-3348  
(951) 782-4130 • Fax (951) 781-6288  
<http://www.waterboards.ca.gov/santaana>

**Arnold Schwarzenegger**  
Governor

### ADDENDUM TO AGENDA ANNOUNCEMENT

#### REGIONAL BOARD MEETING Friday, April 18, 2008

##### NOTICE

Changes and postponements that may occur to this agenda will be placed on our website and automatically forwarded to those who subscribe to our electronic mailing list. Anyone wishing to subscribe to our electronic agenda mailing list may do so, as follows: go to [www.waterboards.ca.gov/santaana/](http://www.waterboards.ca.gov/santaana/) and choose "Subscribe to Electronic Mailing Lists" from the homepage. Those who are not subscribers should visit our website prior to the board meeting date.

Supporting documents for agenda items are now posted on our website at least 7 days prior to the scheduled meeting. To view or download the documentation, go to [www.waterboards.ca.gov/santaana/](http://www.waterboards.ca.gov/santaana/) and select the item of interest.

Item 5 of the agenda has been revised as shown below:

- \*5. **Rescissions** – Orders for the following facilities are proposed to be rescinded because the facility discharge has ceased or the facility is now appropriately regulated under the Regional Board's general permit.

{Jun Martinez 951/782-3258 [jmartirez@waterboards.ca.gov](mailto:jmartirez@waterboards.ca.gov)}

Order No. R8-2008-0051

##### ORDER NO.

##### Facility and Location ORANGE COUNTY

##### Reason for Rescission

R8-2002-0093

California Department of Transportation District 12,  
Denitrification Facility

Facility is regulated under the  
Regional Board's general permit

##### RIVERSIDE COUNTY

96-55

Lee Lake Water District, Butterfield Estates Mobile  
Home Park Sewage Treatment Plant

Facility has ceased discharge





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## AGENDA ANNOUNCEMENT

### REGIONAL BOARD MEETING

**Friday, April 18, 2008**

**9:30 A.M.**

**City of Loma Linda**

**25541 Barton Road**

**Loma Linda, CA**

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1. **Introductions**
2. **Public Forum** — Any person may address the Board at the commencement of the meeting on any matter within the Regional Board's jurisdiction and not related to an item that is to be considered separately. The Regional Board Chair requests that each person addressing the Regional Board observe a three-minute time limit.
3. **[Approval of the Minutes of the Regular Board Meeting of February 29, 2008.](#)**  
{Felipa Carrillo 951/782-3285 [fcarrillo@waterboards.ca.gov](mailto:fcarrillo@waterboards.ca.gov)}
4. **Consideration of Consent Calendar Items.** Items marked with an asterisk (\*) are expected to be routine and non-controversial. The Regional Board will be asked to approve these items at one time without discussion. If any interested party, Board Member or staff requests that an item be removed from the consent calendar, it will be taken up in the order shown.
- \*5. **Rescission** - Order No. 2002-0093, NPDES No. CA8000390, for the California Department of Transportation - District 12 is proposed to be rescinded because the facility discharges are now appropriately regulated under the Regional Board's General Groundwater Cleanup Permit.  
{Jun Martirez 951/782-3258 [jmartirez@waterboards.ca.gov](mailto:jmartirez@waterboards.ca.gov)} Order No. R8-2008-0051

- \*6. **Administrative Civil Liability Complaint, Muench Enterprises, Inc., dba Die Cast Manufacturing Co., San Bernardino County** - The Board will consider adoption of Order No. R8-2008-0049 to incorporate the correct corporate name for the discharger in administrative civil liability Complaint No. R8-2007-0023 and in Order No. R8-2007-0051.  
{Milasol C. Gaslan 951/782-4419 [mgaslan@waterboards.ca.gov](mailto:mgaslan@waterboards.ca.gov)} Order No. R8-2008-0049
- \*7. **Middle Santa Ana River Bacterial Indicator TMDL** - The Board will consider approval of the proposed Urban Source Evaluation Plan and the proposed Agricultural Source Evaluation Plan submitted by the Middle Santa Ana River TMDL Task Force in compliance with the Middle Santa Ana River Bacterial Indicator TMDLs.  
{Hope A. Smythe 951/782-4493 [hsmythe@waterboards.ca.gov](mailto:hsmythe@waterboards.ca.gov)} Order No. R8-2008-0044
- \*8. **Resolution Regarding Funding from the State Water Resources Control Board (SWRCB) Emergency, Abandoned and Recalcitrant Site Account** - The Board will consider a resolution supporting the acceptance of funds for underground storage tank sites from the SWRCB Emergency, Abandoned and Recalcitrant Site Account.  
{Kenneth Williams 951/782-4496 [kwilliams@waterboards.ca.gov](mailto:kwilliams@waterboards.ca.gov)} Resolution No. R8-2008-0050
- \*9. **Inland Empire Utilities Agency, Magnolia Channel Improvements, City of Chino** - Issuance of requirements for discharges of fill to 0.56 acre of the Magnolia Channel south of Kimball Avenue. The Inland Empire Utilities Agency has determined that the affected reaches of the Channel are not subject to U.S. Army Corps of Engineers' jurisdiction. The requirements will serve as a Clean Water Act Section 401 Certification in the event that one is needed.  
{Mark G. Adelson 951/782-3234 [madelson@waterboards.ca.gov](mailto:madelson@waterboards.ca.gov)} Order No. R8-2008-0053
- \*10. **ARI Chaney, LLC, Fairway Business Park, City of Lake Elsinore** - Issuance of requirements for discharges of fill to 0.61 acre of ephemeral drainage and 0.35 acre of seasonal pools that are waters of the State. The U.S. Army Corps of Engineers has determined that these waters are not subject to its jurisdiction.  
{Mark G. Adelson 951/782-3234 [madelson@waterboards.ca.gov](mailto:madelson@waterboards.ca.gov)} Order No. R8-2008-0016
- 11. **Santa Ana River Watershed Freeway Signs** - Inland Waterkeeper member Lee Reeder will make a presentation to the Board concerning the Waterkeeper project to complete the installation of signs on freeways entering the watershed, announcing the watershed boundary and asking for motorist attention to help keep the watershed clean.  
{Gerard J. Thibeault 951/782-3285 [gthibeault@waterboards.ca.gov](mailto:gthibeault@waterboards.ca.gov)}
- 12. **Basin Plan Consolidation Project** - Staff will brief the Board on the recently completed project to re-format and consolidate all components of the Water Quality Control Plan for the Santa Ana River Basin into an updated electronic document that will allow all future revisions to be consolidated easily, upon adoption of any approved revisions.  
{Mark G. Adelson 951/782-3234 [madelson@waterboards.ca.gov](mailto:madelson@waterboards.ca.gov)}

13. **AES Huntington Beach Generating Station** - Representatives of AES Huntington Beach L.L.C., operator of the AES Huntington Beach Generating Station, will review the findings of the Comprehensive Demonstration Study completed in accordance with requirements of Order No. R8-2006-0011, NPDES No. CA0001163. These permit provisions are intended to address the requirements of Section 316(b) of the Clean Water Act, which pertains to cooling water intake structures. Board staff will describe the status of development of relevant regulation and policy concerning 316(b) implementation and will seek Board direction on reopening the AES permit to consider changes based on pending regulatory actions by the State Water Board and USEPA and recent case law.  
{Jun Martinez 951/782-3258 [jmartirez@waterboards.ca.gov](mailto:jmartirez@waterboards.ca.gov)}
14. **Administrative Civil Liability Complaint, Craig Esterly and Fire Resources, Inc., San Bernardino County** - The Board will consider whether to affirm, reject or modify the administrative civil liability assessment, as proposed in Administrative Civil Liability Complaint No. R8-2008-0011.  
(Postponed from the February 29, 2008 Board meeting.)  
{Milasol C. Gaslan 951/782-4419 [mgaslan@waterboards.ca.gov](mailto:mgaslan@waterboards.ca.gov)} Order No. R8-2008-0031
15. **Mandatory Penalty Complaint, All Benz and Beemer, Orange County** - The Board will consider whether to affirm, reject or modify the proposed mandatory penalty assessment, as proposed in Mandatory Penalty Complaint No. R8-2008-0027.  
{Mark E. Smythe 951/782-4998 [msmythe@waterboards.ca.gov](mailto:msmythe@waterboards.ca.gov)} Order No. R8-2008-0052
16. **Regional Board Member and Executive Officer Communications** - Board Members and the Executive Officer may discuss meetings, communications, correspondence, or other items of general interest relating to matters within the Regional Board's jurisdiction. There will be no voting or formal action taken.
17. **Closed Session** - At any time during the regular session, the Regional Board may adjourn to a closed session to:
  - a. consider evidence received in an adjudicatory hearing and deliberate on a decision to be reached based on that evidence (Gov. Code Section 11126(c)(3));
  - b. consider the appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against a public employee (Gov. Code Section 11126(a)(1));
  - c. discuss significant exposure to litigation (Gov. Code Section 11126(e)(2)(B)(i));
  - d. discuss whether to initiate litigation (Gov. Code Section 11126(e)(2)(C)(i)); and
  - e. discuss pending litigation in the following matters (Gov. Code, § 11126, subd.(e)):
    - (1) Stringfellow Hazardous Waste Site;
    - (2) US EPA, Santa Ana Region v. Orange County Sanitation District (U.S. Dist. Ct., CD Cal.);
    - (3) Goodrich Corporation v. California State Water Resources Control Board et al. (Los Angeles Sup. Ct. Case No. BS 110389,[consolidated with BS 110390 and BS 110391].);
    - (4) In re Petitions of Kwikset Locks, Inc. (SWRCB/OCC File Nos. A-1732, 1732(a), 1732(b), 1732(c), and 1732(d));
    - (5) In re Petition of Natural Resources Defense Council, Inc. (SWRCB/OCC File No. A-1883); and
    - (6) In re Own Motion Review of Rialto-Area Perchlorate Contamination (SWRCB/OCC File No. A-1824).



**Adjournment** to the regular meeting of June 6, 2008 at 9:00 a.m., City of Santa Ana, 22 Civic Center Dr, Santa Ana, CA.

#### **NOTICES**

Any person who has a disability and requires reasonable accommodation to participate in this Regional Board Meeting should contact Felipa Carrillo at [fcarrillo@waterboards.ca.gov](mailto:fcarrillo@waterboards.ca.gov), or at 951/782-3285, no later than ten (10) days prior to the meeting.

Any person interested in obtaining information and/or providing input regarding pending applications for Water Quality Standards Certification under Section 401 of the Federal Clean Water Act may do so by contacting Mark G. Adelson at 951/782-3234 or [madelson@waterboards.ca.gov](mailto:madelson@waterboards.ca.gov).



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**BOARD INFORMATION SHEET**

**BOARD MEMBERS**

Carole H. Beswick, Chair  
Deborah Neev, Vice Chair  
John Withers  
Seymour D. Van Gundy  
William Ruh  
Mary E. Cramer  
Maurice Gallarda  
Fred Ameri  
Vacant

**APPOINTMENT CATEGORY**

County Government  
Undesignated (Public)  
Water Supply  
Water Quality  
Recreation, Fish and Wildlife  
Irrigated Agriculture  
Water Quality  
Industrial Water Use  
Municipal Government

**REGIONAL BOARD LEGAL COUNSEL**

David Rice, State Water Resources Control Board  
Office of Chief Counsel  
1001 "I" Street, 22<sup>nd</sup> Floor  
Sacramento, CA 95812  
(916) 341-5167

**REGIONAL BOARD SENIOR STAFF**

Gerard J. Thibeault, Executive Officer  
Kurt V. Berchtold, Assistant Executive Officer  
Joanne E. Schneider, Environmental Program Manager  
Robert L. Holub, Supervising Water Resource Control Engineer  
Michael J. Adackapara, Supervising Water Resource Control Engineer  
Gary D. Stewart, Chief of Compliance  
Dixie B. Lass, Chief of Land Disposal  
Steven D. Mayville, Chief of Enforcement  
Wanda Cross, Chief of Basin Planning - Coastal Waters  
Hope A. Smythe, Chief of Basin Planning - Inland Waters  
Mark G. Adelson, Chief of Regional Planning Programs  
Mark E. Smythe, Chief of Stormwater - Coastal  
Milasol C. Gaslan, Chief of Stormwater - Inland  
Jun Martinez, Chief of Permitting  
Ann E. Sturdivant, Chief of SLIC/Department of Defense  
Kenneth R. Williams, Chief of Pollutant Investigations  
Catherine Ehrenfeld, Regional Administrative Officer  
Kevin Heinemann, Information Systems Analyst  
Felipa Carrillo, Executive Assistant

**GENERAL STATEMENT**

The primary duty of the Regional Board is to protect the quality of the waters within the Region for all beneficial uses. This duty is implemented by formulating and adopting water quality control plans for all ground and surface water bodies in the region and by prescribing and enforcing requirements on waste discharges. The specific responsibilities and procedures of the Regional Water Quality Boards and the State Water Resources Control Board are outlined in the Porter-Cologne Water Quality Control Act (Division 7, California Water Code).

The purpose of this meeting is for the Board to obtain testimony and information from concerned and affected parties and make decisions after considering the recommendations made by the Executive Officer.

Whenever possible, lengthy testimony should be presented to the Board in writing one week before the scheduled meeting and only a summary of pertinent issues should be presented orally. For each matter considered, relevant Regional Board files are incorporated into the record.

A copy of the procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Water Board are conducted pursuant to Government Code Section 11400 et seq. and 11513.

#### DISCLOSURE STATEMENT

All persons who actively support or oppose the adoption of waste discharge requirements or NPDES permits pending before the Regional Board, must submit a statement to the board disclosing any contribution of \$250.00 or more to be used in a federal, state, or local election, made by the action supporter or opponent, or his/her agent, within the last twelve months to any Regional Board Member.

Also, all permit applications and all persons who actively support or oppose adoption of a set of waste discharge requirements and/or NPDES permits pending before the Regional Board are prohibited from making contributions of \$250.00 or more to any Board member for three months following a Regional Board decision on the permit application.

#### RIGHT TO PETITION

Any person affected adversely by a decision of the California Regional Water Quality Control Board, Santa Ana Region (Regional Board), may petition the State Water Resources Control Board (State Board) to review the decision. The petition must be received by the State Board within thirty days of the Regional Board's meeting at which the adverse action was taken. Copies of the law and regulations applicable to filing petitions will be provided upon request to the Regional Board.

NOTE: The agenda items are numbered for identification purposes only and will not necessarily be considered in the order listed. The Public Forum item will be limited to one hour.

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California Regional Water Quality Control Board  
Santa Ana Region  
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Riverside, CA 92501-3348

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**Agenda Announcement**